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House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article II of the State Constitution to extend the prohibition on legislators and statewide elected officers providing personal representation for compensation before the government body or agency of which the individual was an officer or member from two years to six years following vacation of office; to subject appointed state officers to the same prohibition; and to prohibit legislators from personally representing another person or entity for compensation before any state agency other than judicial tribunals for six years following vacation of office.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 8 of Article II of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE II
GENERAL PROVISIONS

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26 SECTION 8. Ethics in government.—A public office is a
 27 public trust. The people shall have the right to secure and
 28 sustain that trust against abuse. To assure this right:

29 (a) All elected constitutional officers and candidates for
 30 such offices and, as may be determined by law, other public
 31 officers, candidates, and employees shall file full and public
 32 disclosure of their financial interests.

33 (b) All elected public officers and candidates for such
 34 offices shall file full and public disclosure of their campaign
 35 finances.

36 (c) Any public officer or employee who breaches the public
 37 trust for private gain and any person or entity inducing such
 38 breach shall be liable to the state for all financial benefits
 39 obtained by such actions. The manner of recovery and additional
 40 damages may be provided by law.

41 (d) Any public officer or employee who is convicted of a
 42 felony involving a breach of public trust shall be subject to
 43 forfeiture of rights and privileges under a public retirement
 44 system or pension plan in such manner as may be provided by law.

45 (e) A ~~Ne~~ member of the legislature, appointed state
 46 officer as defined by general law in the code of ethics, or
 47 statewide elected officer may not ~~shall~~ personally represent
 48 another person or entity for compensation before the government
 49 body or agency of which the individual was an officer or member
 50 for a period of six ~~two~~ years following vacation of office. A ~~Ne~~

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51 member of the legislature may not ~~shall~~ personally represent
 52 another person or entity for compensation during term of office,
 53 or for a period of six years following vacation of office,
 54 before any state agency other than judicial tribunals. Similar
 55 restrictions on other public officers and employees may be
 56 established by law.

57 (f) There shall be an independent commission to conduct
 58 investigations and make public reports on all complaints
 59 concerning breach of public trust by public officers or
 60 employees not within the jurisdiction of the judicial
 61 qualifications commission.

62 (g) A code of ethics for all state employees and
 63 nonjudicial officers prohibiting conflict between public duty
 64 and private interests shall be prescribed by law.

65 (h) This section shall not be construed to limit
 66 disclosures and prohibitions which may be established by law to
 67 preserve the public trust and avoid conflicts between public
 68 duties and private interests.

69 (i) Schedule—On the effective date of this amendment and
 70 until changed by law:

71 (1) Full and public disclosure of financial interests
 72 shall mean filing with the custodian of state records by July 1
 73 of each year a sworn statement showing net worth and identifying
 74 each asset and liability in excess of \$1,000 and its value
 75 together with one of the following:

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76 a. A copy of the person's most recent federal income tax
77 return; or

78 b. A sworn statement which identifies each separate source
79 and amount of income which exceeds \$1,000. The forms for such
80 source disclosure and the rules under which they are to be filed
81 shall be prescribed by the independent commission established in
82 subsection (f), and such rules shall include disclosure of
83 secondary sources of income.

84 (2) Persons holding statewide elective offices shall also
85 file disclosure of their financial interests pursuant to
86 subsection (i) (1).

87 (3) The independent commission provided for in subsection
88 (f) shall mean the Florida Commission on Ethics.

89
90 BE IT FURTHER RESOLVED that the following statement be
91 placed on the ballot:

92 CONSTITUTIONAL AMENDMENT

93 ARTICLE II, SECTION 8

94 STATE OFFICERS POST-SERVICE LOBBYING PROHIBITIONS.-

95 Proposing an amendment to the State Constitution to extend the
96 prohibition on legislators and statewide elected officers
97 providing personal representation for compensation before the
98 government body or agency of which the individual was an officer
99 or member from two years to six years following vacation of
100 office, to impose the same prohibition on appointed state

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101 | officers, and to prohibit legislators from providing personal
102 | representation for compensation before any state agency other
103 | than judicial tribunals for six years following vacation of
104 | office.